I hereby certify that this correspondence is being deposited with the United States Postal Service on the date set forth below as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 2023

Date of Signature and Deposit: June 6, 2001

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

JUN 1 1 2001

Alan D. Attie

Mark E. Cook

Mark P. Gray-Keller Michael R. Hayden Simon Pimstone

Angela R. Brooks-Wilson

Serial No.: 09/704,272

Group Art Unit:

Date: June 6, 2001

Filed: 11/01/2000

Examiner:

For: CHOLESTEROL TRANSPORT GENE

File No.: 960296.96668

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION
Filed Under 37 CFR 1.53(b)
FILING DATE GRANTED

Commissioner for Patents Customer Service Center Initial Patent Examination Division Washington, D.C. 20231

Dear Sir:

By a Notice mailed January 12, 2001 in the file of the above-identified application, the Patent and Trademark Office informed the applicants that the application as filed was missing needed components. The identified missing components were the filing fee and an oath or declaration signed by the inventors.

Included with this submission is a Declaration for Utility or Design Patent Application executed by all of the inventors of this application. In addition, enclosed with this application is a fee transmittal statement authorizing the Patent and Trademark Office to accept a fee of \$1578.00 (\$1448.00 filing fees, \$130.00 surcharge) from the deposit account number 17-0055 of the undersigned. In addition, a separate petition for extension of time is submitted herewith so that this response will be considered as timely filed.

Based on this submission, the missing parts of the nonprovisional application have been supplied to the Patent and Trademark Office and examination of the application on the merits in due course is respectfully requested.

Respectfully submitted,

Richolas J. Seav Reg. No. 27,386 Attorney for Applicants QUARLES & BRADY LLP P.O. Box 2113 Madison, WI 53701-2113

(608) 251-5000 TEL (608)251-9166 FAX

YPRESS	MAII	LARFI	NO.

PTO/SB/17 (8/00)
A red for use through 10/31/2002 OMB 0651-0032
Patent and ordemark Office: U.S. DEPARTMENT OF COMMERCE

		Patent and Hudem	ark Office: U.S. DEPARTMENT OF COMMERC	
JUN 1 1 2001 Pagent fees are subject to annual revision.		Complete if Known		
		Application Number	09/704,272	
		Filing Date	11/01/2000	
		First Named Inventor	Alan D. Attie	
		Group Art Unit		
		Examiner Name		
TOTAL AMOUNT OF PAYMENT	\$ 2,468.00	Attorney Docket Number	960296.96668	
•				

1. X The Commissioner is hereby authorized to charge 17-0055 17-00	METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)		
Paper	The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:	Large Entity Small Entity Fee Fee Fee Fee (\$)		
Comparison Courries Brady LLP 139 130 130 139 130 130 139 130 139 130 139 130 130 139 130 130 139 130 130 139 130	Deposit Number 17-0055	Code (\$) Code Fee Description Paid		
X Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 147 2.520 147 2.520 147 2.520 Fer Injury and entity status 129 20 112 920 129 200 129 200 120 200 1		127 50 227 25 Surcharge - late provisional filing fee or		
X Charge Any Additional Fee Required 147 2,520 147 2,520 For filing a request for reexamination 12 920 112 920 12	Name Qualles & Blady LLI			
Applicant claims small entity status See 37 CFR 1.27 2. Payment Enclosed: Check Credit Money Other FEE CALCULATION 115 1.0 215 55 Extension for reply within first month 116 390 216 195 Extension for reply within first month 117 890 217 445 Extension for reply within first month 118 1.390 218 695 Extension for reply within first month 119 310 219 155 Notice of Appeal 110 710 201 355 Utility filing fee 101 710.00 110 320 206 160 Design filing fee 110 710 208 355 Reissue filing fee 114 1270 221 135 Request for oral hearing 114 150 214 75 Provisional filling fee 114 1.240 241 620 Prition to revive unavoidably abandoned application 114 150 214 75 Provisional filing fee 115	X Charge Any Additional Fee Required			
2.	Applicant claims small entity status	112 920 112 920 Requesting publication of SIR prior to Examiner action		
Check Credit Money Other Other 115 110 215 55 Extension for reply within first month 116 330 216 195 Extension for reply within second month 830 116 830 217 445 Extension for reply within first month 830 118 1,390 218 695 Extension for reply within first month 830 118 1,390 218 695 Extension for reply within first month 830 118 1,390 218 695 Extension for reply within fourth month 830 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 118 1,390 218 695 Extension for reply within first month 128 1,390 218 695 Extension for reply within first month 128 1,390 218 695 Extension for reply within first month 128 1,390 218 695 Extension for reply within first month 128 1,390 218 695 Extension for reply within first month 128 1,390 218 695 Extension for reply within first month 128 1,390 218 158 Extension for reply within first month 128 1,390 218 158 Extension for reply within first month 128 1,390 218 158 Extension for reply within first month 128 1,390 218 158 Extension for reply within first month 128 1,390 218 158 Extension for reply within first month 128 1,390 218 158 Extension		113 1,840 113 1,840 Requesting publication of SIR after Examiner action		
116 390 216 195 Extension for reply within third month 390 217 345 Extension for reply within third month 390 217 345 Extension for reply within third month 390 348 395 Extension for reply within fourth month 390 348 395 218 395 Extension for reply within fourth month 390 348 395 218 395 Extension for reply within firth month 390 348 395 218 395 Extension for reply within firth month 390 348 395 345 Extension for reply within firth month 390 348 395 345 Extension for reply within firth month 390 348 395 345 Extension for reply within firth month 390 348 395 345 Extension for reply within firth month 390 348 390 300 348 390 300 340 345 Extension for reply within firth month 390 348 390 340 345 Extension for reply within firth month 390 348 390 300 340		115 110 215 55 Extension for reply within first month		
1. BASIC FILING FEE	Crieck Card Order	116 390 216 195 Extension for reply within second month		
1. BASIC FILING FEE Large Entity Small Entity Fee Fee Gode Fee Fee Gode Fee F	FEE CALCULATION	117 890 217 445 Extension for reply within third month		
Large Entity Fee Fee Code Fee Fee Code Fee Fee Code Fee Fee Fee Code Fee Fee Code Fee Code Fee Code Fee Fee Fee Code Fee Fee Fee Code Fee	1. BASIC FILING FEE	118 1,390 218 695 Extension for reply within fourth month		
Total Claims		128 1,890 228 945 Extension for reply within fifth month		
106 320 206 160 Design filing fee		119 310 219 155 Notice of Appeal		
107 490 207 245 Plant filing fee	101. 710 201 355 Utility filing fee 710.00	120 310 220 155 Filing a brief in support of an appeal		
108 710 208 355 Reissue filing fee 114 150 214 75 Provisional filing fee SUBTOTAL (1) (\$)710.00 2. CLAIMS Extra Fee from below Total Claims Independent 12 -3**= 9 X 80 = 720 Multiple Dependent Claims *** or number previously paid, if greater, For reissues see below Large Entity Fee Fee Code (\$) Fee Description 103 18 203 9 Claims in excess of 20 102 80 202 40 Independent claims 104 270 204 135 Multiple dependent claims ***Reissue independent claims 140 110 240 55 Petition to revive univalent or explication 141 1,240 241 620 Utility issue fee (or reissue) 143 440 243 220 Design issue fee 144 600 244 300 Plant issue fee 122 130 122 130 Petitions to the Commissioner 123 50 123 50 Petitions related to provisional applications 126 180 126 180 Submission of Information Disclosure Stmt 127 581 40 581 40 Recording each patent assignment per property (times number of properties) 146 710 246 355 Filing a submission after final rejection (37 CFR 1.129(a)) 157 710 270 355 Request for expedited examination of a design application 158 Petition to revive univoidably abandoned application 169 900 169 900 Request for expedited examination of a design application 169 900 169 900 Request for expedited examination of a design application	106 320 206 160 Design filing fee	121 270 221 135 Request for oral hearing		
application 114 150 214 75 Provisional filling fee SUBTOTAL (1) (\$)710.00 2. CLAIMS Extra Fee from below Fee Paid Independent 12 -3**= 9 X 80 = 720 Large Entity Fee Fee Fee Fee Fee Fee Code (\$) Fee Description 103 18 203 9 Claims in excess of 20 102 80 202 40 Independent claims 109 80 209 40 **Reissue independent claims Other fee (Specify) 141 1,240 241 620 Petition to revive unintentionally abandoned application 142 1,240 242 620 Utility issue fee (or reissue) 143 440 243 220 Design issue fee 144 600 244 300 Plant issue fee 145 120 130 122 130 Petitions to the Commissioner 146 600 244 300 Plant issue fee 147 1,240 241 620 Utility issue fee (or reissue) 148 440 243 220 Design issue fee 149 120 130 Petitions related to provisional applications 140 600 244 300 Plant issue fee 140 600 244 30	107 490 207 245 Plant filing fee	I ————————————————————————————————————		
SUBTOTAL (1) (\$)710.00 142 1,240 242 620 Utility issue fee (or reissue) 2. CLAIMS Extra Fee from below Fee Paid Total Claims Independent 12 -3***= 9 X 80 = 720 123 50 123 50 Petitions related to provisional applications Multiple Dependent Claims *** or number previously paid, if greater, For reissues see below Large Entity Fee Fee Fee Fee Fee Fee Fee Fee Code (\$) Total Claims **Or number previously paid, if greater, For reissues see below Large Entity Fee	108 710 208 355 Reissue filing fee	140 110 240 55 Petition to revive unavoidably abandoned application		
2. CLAIMS Extra Fee from below Fee Paid Total Claims Independent 12 -3**= 9 X 80 = 720 123 50 Petitions to the Commissioner 126 180 127 128 129 129 120 120 120 121 120 121 122 130 122 130 Petitions to the Commissioner 122 130 Petitions related to provisional applications 126 180	114 150 214 75 Provisional filing fee	141 1,240 241 620 Petition to revive unintentionally abandoned application		
2. CLAIMS Extra Fee from below Fee Paid Total Claims 21 -20**= 1 X 18 = 18 122 130 122 130 Petitions to the Commissioner 123 50 123 50 Petitions related to provisional applications Multiple Dependent Claims *** or number previously paid, if greater, For reissues see below Large Entity Fee Fee Fee Fee Code (\$) Code (\$) Fee Description 103 18 203 9 Claims in excess of 20 102 80 202 40 Independent claims in excess of 3 104 270 204 135 Multiple dependent claims 109 80 209 40 **Reissue independent claims over original patent Total Claims Fee Paid 144 600 244 300 Plant issue fee 122 130 122 130 Petitions to the Commissioner 126 180 126 180 Submission of Information Disclosure Stmt 126 180 126 180 Submission of Information Disclosure Stmt 146 710 246 355 Filing a submission after final rejection (37 CFR 1.129(a)) 146 710 246 355 For each additional invention to be examined (37 CFR 1.129(b)) 179 710 270 355 Request for Continued Examination of a design application 189 900 169 900 Request for expedited examination of a design application 180 204 Request for expedited examination of a design application	SUBTOTAL (1) (\$)710.00	142 1,240 242 620 Utility issue fee (or reissue)		
Total Claims 21 -20** = 1 X 18 = 18 122 130 122 130 Petitions to the Commissioner 122 130 123 50 Petitions related to provisional applications 126 180 180 Submission of Information Disclosure Stmt 126 180	Fee from	143 440 243 220 Design issue fee		
Independent 12	Z. CLAIIVIS	144 600 244 300 Plant issue fee		
Multiple Dependent Claims ** or number previously paid, if greater, For reissues see below Large Entity Fee Fee Fee Code (\$) 103 18 203 9 Claims in excess of 20 104 270 204 135 Multiple dependent claims 109 80 209 40 **Reissue independent claims 109 80 209 40 **Reissue independent claims 118 126 180 126 180 Submission of Information Disclosure Stmt 128 180 126 180 Submission of Information Disclosure Stmt 129 180 120 180 Submission of Information Disclosure Stmt 120 180 126 180 126 180 Submission of Information Disclosure Stmt 120 180 126 180 126 180 Submission of Information Disclosure Stmt 120 180 126 180 126 180 Submission of Information Disclosure Stmt 120 180 126 180 126 180 Submission of Information Disclosure Stmt 120 180 126 180 126 180 Submission of Information Disclosure Stmt 120 180 126 180 126 180 Submission of Information Disclosure Stmt 120 180 126 180 126 180 Submission of Information Disclosure Stmt 120 180 126 180 126 180 Submission of Information Disclosure Stmt 120 180 126 180 126 180 Submission of Information Disclosure Stmt 121 122 122 122 122 122 122 122 122 12	Total Claims 21 -20 - 1 X 7	122 130 122 130 Petitions to the Commissioner		
*** or number previously paid, if greater, For reissues see below Large Entity Fee Fee Fee Code (\$) 103 18 203 9 Claims in excess of 20 104 270 204 135 Multiple dependent claims 109 80 209 40 **Reissue independent claims over original patent* **Or number previously paid, if greater, For reissues see below 581 40 581 40 Recording each patent assignment per property (times number of properties) 146 710 246 355 Filing a submission after final rejection (37 CFR 1.129(a)) 146 710 246 355 For each additional invention to be examined (37 CFR 1.129(b)) 179 710 270 355 Request for Continued Examination (RCE) 180 126 180 126 180 Submission of information Disclosure Stift 180 Property (times number of prop	Independent 12 -3**= 9 X 80 = 720	123 50 123 50 Petitions related to provisional applications		
Large Entity Fee Fee Code (\$) Fee Description Code (\$) Code (\$) Code (\$) Code (\$) Code (\$) Code (\$) Fee Description Code (\$) Fee Description Code (\$) Code (\$) Fee Description Code (\$) Code (\$) Fee Description Code (\$) Code (\$)	Multiple Dependent Claims =	126 180 126 180 Submission of Information Disclosure Stmt		
Fee Code (\$) Code (\$) Fee Description 103 18 203 9 Claims in excess of 20 104 270 204 135 Multiple dependent claims over original patents 105 80 209 40 **Reissue independent claims over original patents 106 710 246 355 Filing a submission after final rejection (37 CFR 1.129(a)) 107 246 355 Filing a submission after final rejection (37 CFR 1.129(a)) 108 710 246 355 For each additional invention to be examined (37 CFR 1.129(b)) 109 80 209 40 **Reissue independent claims over original patents 109 80 209 40 **Reissue independent claims over original patents 109 900 169 900 Request for expedited examination of a design application 109 80 209 40 **Reissue independent claims over original patents 109 900 169 900 Request for expedited examination of a design application		581 40 581 40 Recording each patent assignment per property (times number of properties)		
103		146 710 246 355 Filing a submission after final rejection (37 CFR 1.129(a))		
102 80 202 40 Independent claims in excess of 3 104 270 204 135 Multiple dependent claim 109 80 209 40 **Reissue independent claims over original patent 109 80 209 40 Other fee (specify)		146 710 246 355 For each additional invention to be examined		
169 900 169 900 Request for expedited examination of a design application of a design application	102 80 202 40 Independent claims in excess of 3	■		
109 80 209 40 **Reissue independent claims of a design application over original patent Other fee (specify)		169 900 169 900 Request for expedited examination		
440 40 240 0 **Poissue claims in excess of 20 Other fee (specify)	109 80 209 40 **Reissue independent claims over original patent	of a design application		
and over original patent	110 18 210 9 **Reissue claims in excess of 20 and over original patent	10 18 210 9 **Reissue claims in excess of 20 Other fee (specify)		
SUBTOTAL (2) (\$) 738.00 Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 1020.00		Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$) 1020.00		







United States Patent and Trademark Office

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

ATTORNEY DOCKET NUMBER FIRST NAMED APPLICANT APPLICATION NUMBER FILING/RECEIPT DATE

09/704,272

11/01/2000

Alan D. Attie

960296.96668

Nicholas J Seav Quaries & Brady LLP P O Box 2113 Madison, WI 53701-2113



Date Mailed: 01/12/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/12/2001 TGEDAHU1 00000146 170055

09704272

FILED UNDER 37 CFR 1.53(b)

710.00 CH 01 FC:101 18.00 CH 02 FC:103 720.00 CH 03 FC:102 04 FC:105

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$738.
 - \$18 for 1 total claims over 20.
 - \$720 for 9 independent claims over 3.
- · The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1578.

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE